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TOWN OF NEW WINDSOR

PLANNING BOARD

OCTOBER 27, 2010

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN
NEIL SCHLESINGER
HENRY VAN LEEUWEN
HOWARD BROWN
DANIEL GALLAGHER

ALTERNATE: HENRY SCHEIBLE
HARRY FERGUSON

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

JENNIFER GALLAGHER
BUILDING INSPECTOR

NICOLE JULIAN
PLANNING BOARD SECRETARY

DOMINIC CORDISCO, ESQ.
PLANNING BOARD ATTORNEY

REGULAR_MEETING

MR. ARGENIO: I want to call the October 27, 2010
regular meeting of the Town of New Windsor Planning
Board to order. Everybody please stand for the Pledge
of Allegiance.

(Whereupon, the Pledge of Allegiance was

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recited.)

MR. ARGENIO: Welcome everybody. No minutes for tonight, we're going to get right into it. No mobile home park reviews. We do have a full board this evening.

PUBLIC HEARINGS:

THE GROVE AT NEW WINDSOR (09-22)

MR. ARGENIO: First item on tonight's agenda is The Grove at New Windsor, K. Hov. subdivision. Justin Dates for the applicant. Proposed 70 zero lot line lots on the already approved Grove site plan project to establish townhomes with related property lots. Plan was previously reviewed at the 15 July, 2009, 24 February, 2010, 24 March, 2010, 28 April, 2010, 30 June, 2010 and 29 September, 2010 planning board meetings. The applicant is here for the board for public hearing this evening. If I can just take a minute to refresh the board's memory this is reconfiguring of the balance of the buildings into single lots whereas each residence will sit on its own lot. That said, can you please give your name for the stenographer?

MR. DATES: Justin Dates with Mazer Consulting.

MR. ARGENIO: Mr. Dates, just take a minute, give us a quick rundown. We've seen this quite a few times then we'll open it up to the public and get some commentary if there is any we can answer any questions that the public may have. Go ahead.

MR. DATES: This application was previously before the planning board quite a few meetings as the chairman stated, the previous application was for 22 lots.

MR. VAN LEEUWEN: Can you speak a little louder because I'm sure they're not going to hear you.

MR. DATES: Previous application was for 22 lots fee simple, and that was for four buildings located on the east side of Hawthorne Way in the center of the site. Prior to final approval of that application, the applicant decided to revise the subdivision and include

all the buildings which is a 13 and 70 units into 70 fee simple lots so basically what that is is a lot created around each of the units, the zero lot line reference is because the lot line goes through a shared wall of the units. This is merely a legal lot creation around these, there are no revisions to the site plan, the grading and whatnot around these units.

MR. ARGENIO: So there's essentially no site changes, just the lots?

MR. DATES: Correct.

MR. ARGENIO: On the 12th day of October, 2010, a representative from the applicant got together with Nicole and prepared four addressed envelopes containing the notice of public hearing sent out with appropriate notice and appropriate time given for this public hearing. At this point in time, if anybody in the audience has any questions or would like to speak for or against this application, please raise your hand, be recognized and you'll be given the opportunity to speak. Would anybody like to speak on this? I'll accept a motion.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that we close the public hearing of The Grove New Windsor. Roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: The public hearing is now closed with no comment from the public. Mark, I just want and again this is not anything earth shattering, we've seen this a few times around town. All the approvals of the site amenities, all of the timeframes associated with the clubhouse construction or otherwise, everything else still applies the same as it did with the original approval. Is that correct?

MR. EDSALL: Yes, cause they still have separate and apart a site plan approval that they're still subject to.

MR. ARGENIO: All of that is still in effect. Mark has that comment here. I will bring it to the board's attention, I will read it relative to SEQRA the board is lead agency per their action at the 2/24/2010 meeting, unless there's any other concerns identified at that meeting, it is suggested by counsel and Mark alike that we confirm the negative dec we adopted on 2/24/2010 meeting. I'll accept a motion that we affirm that negative dec.

MR. BROWN: So moved.

MR. VAN LEEUWEN: Second it.

MR. ARGENIO: Motion has been made and seconded that we confirm the negative dec as lead agency for this application. Roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

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MR. ARGENIO: Mark or Dominic, is there anything else procedurally that I'm missing with this? This is very, very straightforward.

MR. CORDISCO: Just touching briefly I went back and I reviewed the fact that the referral to the Town Board included the entire parcel so that the PUD approval that the Town Board granted was for the entire balance of the project. So it wasn't just for the initial 22 lots that they were seeking. So there's no need for any additional Town Board involvement in the project. And lastly, that we had worked out a draft declaration of restrictions which addressed the board's and also the public concern last time that any subdivided units have to be part of the homeowners' association that has already been worked out in draft and is acceptable to Saybrook the applicant, it just hasn't been recorded yet because it will now apply to all 70 lots rather than the initial 22. Any condition that, excuse me, any approval that you make should be conditioned on the same conditions that you established last time when you included that as a primary condition.

MR. ARGENIO: Mark, anything else of a technical nature?

MR. EDSALL: Nothing to add.

MR. ARGENIO: If anybody sees fit, I'll accept a final approval subject to the conditions of the last approval.

MR. VAN LEEUWEN: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Roll call.

ROLL CALL

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MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Thank you Justin for coming in tonight.

MR. DATES: Thank you.

REGULAR_ITEMS:

STONEGATE_@_NEW_WINDSOR_(09-29)

MR. ARGENIO: Next on tonight's agenda is the regular items. First of the regular items is Stonegate at New Windsor represented by Mr. Shaw who I see coming up to the dais. Project involves 84 unit senior citizen multi-family residential project on a 9.08 acre property. The plan was previously reviewed at the 18 November, 2009 planning board meeting.

Mr. Gregory Shaw and Mr. Anthony Coppola appeared before the board for this proposal.

MR. ARGENIO: Tell us first of all for the benefit of the members refresh our member where it is, where the project is and tell us what you've been doing since you've been here last time.

MR. SHAW: Maybe we'll do a little history first. After we left this board in November of last year, we were referred over to the Town Board to have a review of the project. As you're aware, this project requires a special permit from the Town Board. And it was their job to review the project to find out as to or to make a determination as to whether or not this project on that project site met the senior citizens' regulations of your ordinance. That was done in February of 2010. And a resolution was passed by the Town Board stating same. The next step in the process is to come before this board and start working out the technical details with respect to the project. At some point, hopefully we'll get a negative dec and we'll get a conditional site plan approval and at that point we'll have to go back to the Town Board to formalize that special permit. So while we have made one trip to the Town Board, we have a final trip coming that is to formalize this special permit. To go into the location of the project, it's off of Little Britain Road, maybe the

easiest way to describe it is if you went up the driveway to the former Newburgh Packing instead of continuing to the parking lot you'd just bear right to the north and then to this 9 acre parcel. What we're proposing is 84 units, 60 of which will be one bedroom. The balance of which is 24 will be 2 bedroom units. They will be situated in two buildings located in this particular area. We have incorporated into the site two parking spaces per unit for a total of 168 spaces and with that, we have also incorporated some relatively large patios with the project site, I believe 2,400 maybe 4,800 square feet respectively and they integrated with the amenities within the building themselves. We have an on-site storm water treatment system and a storm water detention system. We have prepared a SWPPP, it has been submitted to this board and I believe it has been found acceptable by your consultant. We have prepared a traffic study that has also been submitted.

MR. ARGENIO: What's the status of that, Mark, do you know? I'd be very interested to see that to have the benefit of that information. I know it's something we discussed last time the applicant was here a bit, what can you tell us about that?

MR. EDSALL: I have reviewed it on a preliminary basis. At this point my comments suggest that we ask for a full presentation at the public hearing so it's pending, it's before us but we haven't made any determinations with regard to it.

MR. ARGENIO: Who is going to do that, Greg?

MR. SHAW: That will be done by the preparer, Phil Grealy from John Collins.

MR. ARGENIO: Phil is going to do it?

MR. SHAW: Yes.

MR. ARGENIO: You guys are familiar with Mr. Grealy? Yes? He shows up many, many times on many, many traffic issues here. He verified the work that was done by I think Mazer when the Friendly's was demolished and Hannafords went in on Five Corners many years ago, very competent fellow.

MR. SHAW: Mark just touched on the point of tonight's meeting and I just want to mention it. We have submitted a SWPPP, a traffic study and a complete set of plans. What we're asking the board tonight is to set a public hearing date, all right, that's the sole purpose of this meeting and not to take any other action. But to return back to the site, this just, there's just a few other items I'd like to touch on and that the project is going to be serviced by the town water system and the town sewer system. We have integrated a water distribution system throughout the site and the buildings will be sprinklered of course with the Town Code. With me tonight is Anthony Coppola who is the architect, we brought the rendering to see what the buildings are going to look like and he can answer any questions you may have regarding the structures themselves.

MR. ARGENIO: Mark, can you share for the benefit of the members a little bit about the water and sewer issue cause I'm sure that's a concern?

MR. EDSALL: Well, water we have worked with Greg on identifying the available mains. There are some extensions that are required, some verification of easements, they have agreed to extend the main through their site dead-ending it at Steele Road so that there's an opportunity for the town to loop it.

MR. ARGENIO: What do we have on Steele Road now?

MR. EDSALL: Nothing.

MR. ARGENIO: No town water?

MR. EDSALL: No town water on Steele Road. This would give us the opportunity down the road to loop it without having to go back onto their property. Sewer they've got sewer connection available.

MR. SHAW: It connects to the existing main on Route 207 Little Britain Road, just that simple.

MR. VAN LEEUWEN: Can I ask you what's going to happen to the existing residence, to the existing coop and the existing barn that's kind of cut?

MR. ARGENIO: Anthony, if you take the rendering down, Greg, look at the drawing right around here.

MR. SHAW: What we're going to provide, you have a driveway if you want to call it that to the barn and to the existing residence, when we rebuild that road, we're just going to leave them a curb cut and the driveway will remain.

MR. VAN LEEUWEN: Those are coming down?

MR. SHAW: No because it's not owned by the applicant, it's owned by another party.

MR. VAN LEEUWEN: Well, what about the existing barn that's being almost cut in half?

MR. SHAW: Well, that we're proposing to leave right now. It's again on another party's property, it extends into ours, we'd just as soon leave it there.

MR. ARGENIO: So, Greg, is it fair for me to say that there's no subdivision application here?

MR. SHAW: No.

MR. ARGENIO: This lot exists as it's drawn right now?

MR. SHAW: Correct.

MR. ARGENIO: With the barn on the property line?

MR. SHAW: Correct.

MR. ARGENIO: Jen, how did you allow that to happen?

MR. SHAW: I think the barn preceded Jen.

MS. GALLAGHER: I hope so.

MR. ARGENIO: The barn probably precedes Mike Babcock. Henry, how old is the barn?

MR. SCHEIBLE: Over 100 years.

MR. ARGENIO: What else, Greg?

MR. SHAW: That's pretty much it. I'd like for Anthony to just touch on the architecture of the building. I think it's an attractive building and then we'll answer any questions you may have.

MR. ARGENIO: Go ahead Anthony.

MR. COPPOLA: Thank you. So the architecture really hasn't changed in the last year. Just to go through it real quickly, we're two buildings, basically three stories per building. What we're doing on the exterior facades is a mixture of vinyl siding, cultured stone, an aluminum roof that's going to form the turret of the entrance and basically a lot of reverse gables intermixed with some of the exterior deck work and some dormers on the top. So those buildings, the two buildings will each basically look like that on each of the long facades, the 36 unit building and the 48 unit

building.

MR. ARGENIO: Anthony, I would ask please note to self next time you come can you bring us a tighter shot of that?

MR. COPPOLA: Oh, sure, yeah, I'd be happy to provide that to the planning board. I mean a closeup so you can see the colors?

MR. ARGENIO: Correct.

MR. COPPOLA: We can do that.

MR. ARGENIO: Henry?

MR. VAN LEEUWEN: Isn't there a pond on that site?

MR. SHAW: No, not on our property that's on the adjacent property which was the former Newburgh Packing.

MR. VAN LEEUWEN: I thought there was a pond here.

MR. SCHEIBLE: That pond was the former Newburgh Packing which is today owned by Cafe Spice.

MR. SCHLESINGER: This road goes on the left-hand side?

MR. SCHEIBLE: On the left-hand side.

MR. COPPOLA: Thank you. The one change that we did add the town has a requirement in the zoning for storage in the building so we actually do provide that requirement, it's 20 square feet per apartment.

MR. ARGENIO: Didn't we get hung up on that last time?

MR. COPPOLA: We didn't have it last time.

MR. SHAW: It wasn't a problem.

MR. ARGENIO: Wasn't a problem for you guys.

MR. COPPOLA: We added a basement to one of the buildings where we couldn't provide the building higher up on the hill, building number one we added actually a half basement so that that's shown on the drawings. Now, the other building we have room in the basement cause it's tiered on the hill so we're providing all that parking, it will basically be a caged setup inside of the basements.

MR. ARGENIO: In the basement it's full height?

MR. COPPOLA: Yes, 8 or 9 feet, yes.

MR. ARGENIO: Both buildings?

MR. COPPOLA: Both buildings, yes.

MR. VAN LEEUWEN: Gonna make sure they're going to be dry?

MR. COPPOLA: Oh, yeah, yeah, I mean, we'll waterproof and put footing drains around the foundation and the one building sits flat, the other building sits on a slope.

MR. ARGENIO: I don't want to cut you off.

MR. COPPOLA: That's basically it.

MR. ARGENIO: For the benefit of the members, the only direction we're going to head tonight and we can talk about this is whether to schedule a public hearing or not. And it seems to me that in typical Greg Shaw fashion the plans seem to be at a level of fitness where we probably can go down that road, I think at least and maybe you guys feel differently, it is

mandatory, it is not subjective, sometimes it's subjective whether we have the public hearing. For this special permit use it's not subjective and we'll have an opportunity to look at the plans again. But certainly if anybody has any questions, there's a bit going on here, please Danny or Howard or Henry or Neil?

MR. BROWN: What's the average square footage of each apartment?

MR. COPPOLA: The two bedrooms are 955 and the one bedrooms are 797 so there's 60 ones and 24 twos.

MR. ARGENIO: Where you going with that? Why did you pick that size?

MR. COPPOLA: I don't really remember, we developed so many seniors units over the years that they always seem to be in that range and it's basically all of these, a lot of the ones that we have done it's a double loaded corridor, your kitchens and bathrooms are on the inside wall, they're all single one full bath per apartment so I mean it's basically kitchen, entrance, bathroom, bedroom, living room and then sometimes another bedroom.

MR. ARGENIO: So the demand for the product that you are designing is what's driven the desire?

MR. COPPOLA: Yes, that's been our experience.

MR. VAN LEEUWEN: Is there any age limitation?

MR. COPPOLA: The town sets that or if not the town the county, these are not subsidized units.

MR. ARGENIO: It's per code, is it not?

MR. EDSALL: Yes.

MR. BROWN: This is not affordable senior housing, this is just senior housing?

MR. COPPOLA: Right.

MR. BROWN: Whatever the market?

MR. SHAW: I'd just like to add one other thing. When we came before this board originally we were going to have three affordable units, that's now out, they would all be market driven and we'll make the appropriate contribution per unit into the town's funds for those three extra units above and beyond what we're entitled to by density.

MR. ARGENIO: Figured you'd throw that in.

MR. VAN LEEUWEN: Last minute.

MR. GALLAGHER: One phase or plan on building both at the same time?

MR. SHAW: I would think that it's going to have to be done in two phases, all right, maybe the drawings show it really as three phases from a construction point of view but I think one phase is going to follow behind the other. But it's done in such a fashion that the final building in the rear can be left after the, after you disturbed the balance of the site, you can pretty much leave this intact and once the other 2/3 of the site are under control and are rented out then it's very easy to go in and do the back building.

MR. ARGENIO: So the rear building is built second?

MR. SHAW: Correct. The first thing that's going to happen is the pond area then the first building then obviously the final building.

MR. ARGENIO: I think that Danny is onto a very good

question there and what you just outlined for me I would love to see memorialized in some format somewhere but that would make sense to me if you do the earth work, rough cuts and fills, get control of the storm water.

MR. SHAW: It's already done, when we prepared the SWPPP we had to prepare the construction sequence, it's all in the SWPPP.

MR. GALLAGHER: One elevator in each building?

MR. COPPOLA: Yes.

MR. CORDISCO: I'd like to talk when you're ready about some procedural issues.

MR. ARGENIO: Go ahead.

MR. CORDISCO: Mr. Shaw mentioned earlier that this has been previously referred to the Town Board and that's correct, the process that we have to follow is that the Town Board actually when they are originally reviewing a proposal for a senior citizen housing is whether or not they are authorizing the continued review of an application, it wasn't actually a grant of the special permit.

MR. SHAW: Correct.

MR. CORDISCO: So that actually has to follow. Because it's the Town Board that grants the special permit, New York State Law requires that the Town Board actually has to hold public hearing prior to granting that application granting that approval. The Planning Board's requirement for public hearing is one that you have the discretion to hold or to waive, you don't--

MR. ARGENIO: Even though this is a special permit? Are you sure?

MR. CORDISCO: Yes, because the special permit public hearing has to be held by the Town Board. You could have a situation where both boards hold a public hearing.

MR. ARGENIO: Why wouldn't we have it?

MR. CORDISCO: It's up to the board.

MR. ARGENIO: I don't want to use--

MR. VAN LEEUWEN: Density there we've gotta have it.

MR. ARGENIO: I don't want to be loose with this statement but you certainly with a project of this magnitude you do have a luxury of a bit of time I want to hear from Phil Grealy.

MR. SHAW: Can I interject for a second?

MR. CORDISCO: Before we do, so just in terms of process, it involves some back and forth between the two boards because we have run across this before this board is lead agency under SEQRA so you actually have to have your public hearing, you have to hear from the public, you have to take a full and hard look at the plans.

MR. ARGENIO: You just said we have to have a public hearing.

MR. CORDISCO: If you do and then you adopt your negative declaration at which point the Planning Board's review stops but once you have the negative declaration if that's what you do you have to close out SEQRA then the application would be referred to the Town Board. The Town Board would then have its public hearing and then if they wanted to grant special permit approval they would be in a position to do so relying

on the Planning Board's negative declaration then.

MR. ARGENIO: Then what?

MR. CORDISCO: It comes back to this board for final approval. It's a bit of a ping pong but it's what--

MR. SHAW: That would be our preferred course of action, very simply, we want to be in a position of obtaining a negative declaration in the next couple of months. As I have explained to your consultants, the storm water discharge regulations are changing in February, all right, and in order for us to be covered under the present regulations, we have to have our notice of intent filed with Albany. I need two things, I need a SWPPP completed, actually three things, a SWPPP with a notice of intent and an acceptance form by the Town of New Windsor and you can't sign the acceptance form till I have a negative dec. So that's really the end game right now is to get a negative dec in the next couple of months and then we'll go to the Town Board and then come back to this board.

MR. ARGENIO: I want, I want, I want.

MR. SHAW: I learned it from my wife.

MR. ARGENIO: I don't see not having a public hearing, I don't understand why we wouldn't do it. To my right, Neil and Howard, what are you guys' thoughts?

MR. SCHLESINGER: I don't see why we have to.

MR. ARGENIO: I will give you a couple reasons because it's a significantly, it's a project that's going to significantly impact the area. I want to hear from people about any accidents that may have happened in the area, any concerns they have about traffic so we can discuss them with Mr. Grealy when he comes in front of us and there's going to be a lot of runoff and it's

a pretty big impact, there's neighbors in the area and I think that if I lived next door, this is my barometer, Neil, if I lived next door, I think I'd want to hear from somebody before this project went up. I'd be a little irritated if I didn't hear from somebody.

MR. SCHLESINGER: What's over the hill on the other side?

MR. SCHEIBLE: Lands of Scheible on this side to the right that's a wooded area right now.

MR. ARGENIO: Mark, you were going to make a comment?

MR. EDSALL: I suggested that the board consider the size of the project and whether or not before they are comfortable making a negative dec for this size and action that you really might want to hear from the public rather than just--

MR. CORDISCO: The Town Board's public hearing would be after the negative dec.

MR. EDSALL: It will be too late when the Town Board has their public hearing, better off getting the information that way it supports your negative dec.

MR. ARGENIO: Think about it for a second.

MR. SCHLESINGER: What's limiting him from having his public hearing?

MR. ARGENIO: What's--I don't understand.

MR. SCHLESINGER: Public hearing is mandatory.

MR. ARGENIO: At the Town Board level.

MR. SCHLESINGER: Not at our level.

MR. ARGENIO: I misspoke, Dominic corrected me in front of everybody.

MR. SCHLESINGER: Okay.

MR. CORDISCO: I did it gently.

MR. SCHLESINGER: What time can you go to the Town Board and have your public hearing?

MR. SHAW: We're in a position now of doing that but it's really at their pleasure, okay, as I expressed it was my preference to have this board have a public hearing solely for the purpose of getting a negative declaration from this board and then we can go to the Town Board and then have the mandatory public hearing. So yes, we would have an extra public hearing but it would get us closer to the negative dec or to the negative dec a little quicker hopefully.

MR. SCHLESINGER: Assuming that we prefer him to have a public hearing when can he have that public hearing?

MR. ARGENIO: I don't see why he can't have it right away. The plans are as I said in classic Greg Shaw fashion they are at a level of fitness right away and we don't have to go through a lot of machinations and waste a lot of people's time. Danny, what are your thoughts and I will come back to Howard and Neil?

MR. GALLAGHER: You hit on two of the thoughts as far as traffic and water.

MR. ARGENIO: So you agree?

MR. GALLAGHER: Yeah, absolutely.

MR. VAN LEEUWEN: Yes, I agree totally.

MR. BROWN: Yes.

MR. SCHLESINGER: Yes.

MR. ARGENIO: I'll accept a motion that we authorize that.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that we authorize the public hearing for Stonegate. Roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: I think it's necessary, I think it's necessary and prudent, to not have it would be sloppy, I think. I'm only one member. What else are we going to do here tonight?

MR. EDSALL: Nothing else you can do to my understanding.

MR. ARGENIO: Thank you for coming in.

MR. SHAW: Thank you.

250_LAKE_STREET_SITE_PLAN_(10-23)

MR. ARGENIO: The 250 Lake Street site plan is next. Application involves the use of a portion of the parking area of the former Miron's property as a motorcycle safety school. The plan was reviewed on a concept basis only. This is right at the intersection of Lake Street and Route 32 right at the City of Newburgh-Town of New Windsor line. Whoever's representing the applicant please give your name or maybe you're the applicant.

MR. DOERING: Edward Doering and this is our engineer, John Bodendorf.

MR. ARGENIO: Tell us what you're looking at here or what you'd like to do here.

MR. BODENDORF: Well, basically, you described pretty much in a nutshell, it's an existing building wholly within the City of Newburgh but--

MR. ARGENIO: Can you put your finger on the City of Newburgh-Town of New Windsor line?

MR. BODENDORF: It runs along the building face and this portion here is the parcel that's in the Town of New Windsor, historically been used for parking for the Miron building and that's the plan for this use as well with the exception that there's a small area in the back where they have planned to operate the motorcycle safety school.

MR. ARGENIO: Mark, let me interrupt you for a minute, sir, and my apologies, unless I'm missing something, why are these guys here? This is the piece that's in the Town of New Windsor right here?

MR. EDSALL: Their proposed activity is partially within the Town of New Windsor. Yes, it raises, if you

want me to go ahead with the, probably the only concern and it's more a concern that I believe we should put on the record and then pass on to the city to deal with.

MR. ARGENIO: That's what I'm thinking they should should be at the City of Newburgh Planning Board.

MR. EDSALL: They are, they are at both, there are reasons why they are here but obviously the City of Newburgh's participation is much greater. The difficulty or concern that I have and this happens in many cases where a site plan is split between lots, today it's even more complicated because the lots are in two different municipalities. My concern is that if the New Windsor parcel via some activity was sold off that parking would no longer be available to serve the building in the City of Newburgh. Although we can take the attitude blindly that who cares, it's a city problem, the problem is the parking could end up on the highway partially in New Windsor, partially in the city and cause a hazard.

MR. ARGENIO: It's a problem for everybody at that point.

MR. EDSALL: So my suggestion is that we raise this issue with the city, in many cases what we have done when we have lots within New Windsor that are split is that there's some mechanism performed, be it deed restriction, some type of linkage so that the two parcels can't be conveyed separately without municipal approval because effectively this parking is needed if that building was fully occupied. So again, the shortage is going to occur in the City of Newburgh, not New Windsor, I think it's just good planning to offer to work with the City of Newburgh to protect that from happening. These folks the best I can tell have nothing to do with that potential. The point is it's in front of us now, the issue should be raised if the city cares to do something we can cooperate with them.

But now back to the issue of why are they here, very limited application, their use which has no buildings, purely an inactivity is occurring partially in New Windsor, my suggestion is we expedite our end, share our concerns with Newburgh, let Newburgh be the lead agency and once you have City of Newburgh approval come back and we'll approve it. A lot less complicated than Wal-Mart that has the town line going through the middle of the building between the Town of Newburgh and the Town of New Windsor, this one there's no building split.

MR. ARGENIO: You guys okay with everything he's saying more or less?

MR. BODENDORF: I guess I just want to clarify two items, I totally understand the concern with the two parcels but I just want to make sure that it's not going to ever impact the current owner but if a future owner wants to come in and do something different with that site then they have the potential to come back and perhaps remove that deed restriction if they want to do separate things potentially convey the New Windsor parcel to the adjacent owner.

MR. CORDISCO: I'm not sure that that would be in the nature of a deed restriction. It's something that we'd have to explore with the corporation counsel for the City of Newburgh. I'm sure it's the tail wagging the dog but we want the concern to be addressed because there is a number of scenarios where the lot that's in New Windsor could change hands. For instance, you could stop paying your taxes on it and it could go for taxes. So all of a sudden it's sold at tax sale and you no longer are the owner of it but it's the use of it is attached to what you're proposing to do. And there's other ways that we can explore that but I think the issue at this point is that we're just raising it as an issue on that particular item. I'm proposing that I speak with Bernis Shapiro, corporation counsel for

the city of Newburgh and see what their thoughts and intentions are to link these two together.

MR. DOERING: I think they mentioned that and I think their counsel was there at our other meeting and thought that a deed restriction wasn't possible. There wasn't any legal guidelines, also nothing that the total parcel is 12 acres so there's a lot more land available for parking.

MR. ARGENIO: You just stated what I was thinking just now like you were reading my mind, the only problem with that is is that the one access is in the Town of New Windsor, the other access is in the City of Newburgh and if you lost the one parcel you don't have access around the building but I'm sure that could be remedied.

MR. DOERING: If you have for fire and everything else.

MR. ARGENIO: Mark, I understand your concern. Neil or if anybody disagrees with me, please speak up, I just don't think this is ours to get into.

MR. EDSALL: No.

MR. ARGENIO: I don't discount your concerns but--

MR. EDSALL: I think it's more the city's concern than ours. So that's why I suggest that when Dom corresponds with the city corporation counsel, a copy of these minutes could be attached, I think in the minutes it may be wise for you to affirmatively state you believe the city planning board should be lead agency.

MR. ARGENIO: Danny, you okay with this?

MR. GALLAGHER: Yes.

MR. SCHLESINGER: I'm fine with it too.

MR. VAN LEEUWEN: No problem.

MR. ARGENIO: It's all the City of Newburgh.

MR. SCHLESINGER: Why don't they take the whole thing?

MR. VAN LEEUWEN: We have to approve it.

MR. SCHLESINGER: Not if the whole project is in the City of Newburgh.

MR. EDSALL: We can't move the town line.

MR. VAN LEEUWEN: If it's on the town line the Town of New Windsor must approve.

MR. ARGENIO: So at the end of the day, Mark, I think that they should be, I think it's the decision of the board based on an informal pole that the City of Newburgh be dealing with this, that you two guys take whatever necessary precautions you feel need to be taken to include verbiage so one piece doesn't get peeled off and we have a building lot with substandard parking which as the applicant said would be seemingly difficult because you have all the property in the back that you can turn into parking. So we'll do a me-too at this, at some point in time at a later date. What do we need to do here?

MR. CORDISCO: I was just discussing that with Mr. Edsall, we would anticipate that the City of Newburgh would want to be lead agency for SEQRA review.

MR. ARGENIO: That would be great.

MR. CORDISCO: There's no process for us to say we don't want to be until somebody else says that they want to. So there's no ability to circulate a notice

saying we don't want to be lead agency. But in any event, that's a topic for me to discuss with Mrs. Shapiro. The other item is that General Municipal Law 239 NN requires referral of applications when they're within 500 feet of a municipal border. Obviously, they're here and they're also in the city, we want to confirm in writing that there's no need as a formality for us to be sending them what they have already sent us.

MR. ARGENIO: The city?

MR. CORDISCO: Yeah, that's right. So we just want to confirm this, those are just two minor procedural items and that's the extent of my comments.

MS. GALLAGHER: We have pictures of a sign here, freestanding sign, is that going where the existing sign is now?

MR. BODENDORF: Yes.

MS. GALLAGHER: In Newburgh?

MR. BODENDORF: Yes.

MR. VAN LEEUWEN: That's why I put it away already.

MR. ARGENIO: What do we need to do?

MR. EDSALL: I believe the minutes are now full of all the discussions. Mr. Cordisco can contact corporation counsel and we'll refer it back to the city.

MR. ARGENIO: It's between you guys and the City of Newburgh.

MR. BODENDORF: That's understood. But this board can't grant conditional approval so that we can then take that back understanding that we need to work those

issues out?

MR. CORDISCO: We can't without SEQRA.

MR. ARGENIO: Well, I think that I, when I used the term me too before, Dominic, it would seem to me that if they go to the City of Newburgh and get their affairs in order, we can just handle it as a discussion item at some point in time once they get squared away with the city.

MR. EDSALL: We've got a number of things that have to happen before you can grant approval, SEQRA's got to be satisfied, we don't even have a finalization of lead agency. I reference the 239 NN in my comments but I also reference 239 N which is the county referral because it's adjacent to the municipal boundary.

MR. ARGENIO: I'm okay with all this.

MR. EDSALL: But it's just paperwork.

MR. ARGENIO: Let them deal with it with the City of Newburgh.

MR. EDSALL: The city can't make our referrals, as long as you authorize Dom and I to do what paperwork is needed they'll go to the city and come back one more time.

MR. BODENDORF: Maybe there was a misunderstanding on my part, I thought after the work shop meeting the discussion between I and at the city and whoever was at that meeting there was a discussion about doing separate SEQRA reviews to shorten the process but--

MR. ARGENIO: Separate SEQRA reviews?

MR. CORDISCO: I mean theoretically you could do separate SEQRA.

MR. ARGENIO: I don't, this is making my hair hurt, we're talking about this too much. This is not, there's no issue, we have a little slab of parking that's in the Town of New Windsor.

MR. BODENDORF: We'll take this information back to the city, get through that process and then come back.

MR. ARGENIO: Quite frankly, what you're proposing in addition to the fact that it's in the City of Newburgh it's not this tremendous, egregious impact.

MR. BODENDORF: No, it's not.

MR. VAN LEEUWEN: You're trying to build a mountain and all you've got is a molehill.

MR. ARGENIO: You're authorized to do what you need to do, you guys, let's keep these nice folks moving and thank you for coming in and thank you for sharing with us. And I can't imagine you having a problem with those folks. Thank you.

SALON_SITE_PLAN_&_SPECIAL_PERMIT_(10-22)

MR. ARGENIO: Salon site plan special permit on Hemlock Drive. Somebody here to represent this? Hi, ma'am, how are you? The application proposes a salon home occupation home professional office at the existing residence. Application was reviewed on a concept basis only. We have a little sketch here. Ma'am, can I have your name please for the stenographer?

MS. SALOMON: My name is Agath Salomon.

MR. ARGENIO: Miss Salomon, I'm going to go towards the engineer a bit with this because you don't have an attorney with you nor do you have an engineer. I want to read from comment 2 from Mr. Edsall. The application information indicates that the first floor of the house is proposed for the salon use with anticipated customers of two or three customers at a time. Home occupations in this town and professional offices should be reviewed with the following criteria and restrictions being established. The use needs to be limited to one half of the ground floor area of the dwelling or equivalent. The ground floor of your home, how much, is it less than half that you're using?

MS. SALOMON: It's half of it.

MR. ARGENIO: So let's move on. The use must be carried on within the dwelling and not an accessory structure. Is the hair care being done inside the house or do you have an outside structure that you're doing the hair care?

MS. SALOMON: There's a separate outside structure for the hair, it's on the first floor, it's separate to the house, there's a private entrance.

MR. SCHLESINGER: But it's in the same structure?

MS. SALOMON: The same structure.

MR. SCHLESINGER: It's downstairs, half the ground floor, it's not another building?

MS. SALOMON: No.

MR. ARGENIO: Jen, do you have any familiarity with the sign requirement here? I'll read it to you, signs are limited to one 12 x 18 double face sign.

MS. GALLAGHER: You can see the sign that she has.

MS. SALOMON: It's no longer there.

MS. GALLAGHER: Right, she just said that it was removed, it was there illegally and we sent her something and she just said it was removed.

MS. SALOMON: Because I did not know when I received the permit I thought it was okay to put the sign until I was told I'm not supposed to do it and I took it off.

MR. ARGENIO: I see, okay.

MR. VAN LEEUWEN: You have to be careful, you'll get beat up with a wet noodle.

MR. ARGENIO: Appearance and the character of the structure should not be altered nor any addition of home occupation is permitted. And it looks like it is a regular house with the appearance unaltered. Use shall have no more than one employed person. Is it just you there doing hair?

MS. SALOMON: It's only me.

MR. ARGENIO: You're not creating a public nuisance. Jen, any complaints about this?

MS. GALLAGHER: No.

MR. ARGENIO: Not aware of any? Mark, what do we need to do here?

MR. EDSALL: Looks like we have--

MR. ARGENIO: Seems to me we went through the bullets, she meets all the thresholds, try not to make more out of this than we need to.

MR. EDSALL: Absolutely not. The only other question is the layout in the submittal I was a little confused with the--

MR. ARGENIO: Talking about the sketch plan?

MR. EDSALL: The sketch that's in the application for the parking you need a total of four parking spaces and it looks as if you have spaces on, you're looking at the front of the house as you come up the driveway some spaces at least two on the left.

MS. SALOMON: We have two on the left and we have the garage.

MR. EDSALL: Is it a two car garage?

MS. SALOMON: It's a one car garage.

MR. EDSALL: So I wasn't sure looking at an aerial it looked as if you have some pavement to the left but none to the right.

MR. ARGENIO: Mark flew over your house in a helicopter to do an inspection.

MR. EDSALL: It's a beautiful thing called Google.

MS. SALOMON: It's a long driveway and we have plenty

of space sometimes car can park and another car can pass by and since it will be me I don't think I will have like five, six car parking.

MR. EDSALL: You only need four, you need two for customers and two for your own.

MS. SALOMON: Yes.

MR. EDSALL: As long as we can have that shown adequately on the plan you've hit all the points.

MR. ARGENIO: Say that again, Mark.

MR. EDSALL: Identify where the spaces actually are because it's a little confusing on the sketch. Procedurally the larger issue is this particular use in the zone is a special permit use so you have to have a public hearing.

MR. ARGENIO: Jennifer, no complaints about it?

MS. GALLAGHER: Just the sign we got a complaint about recently.

MR. ARGENIO: And she took it down?

MS. GALLAGHER: Yes.

MR. SCHLESINGER: You're presently operating there?

MS. SALOMON: No, from the beginning when I have the permit I put everything and I contacted the town to find out what else I need and what they tell me no, I can't do nothing.

MR. SCHLESINGER: You took down the sign because obviously there was some complaints about the sign. Okay, let me ask you a question. Assuming that the sign meets the requirements of 12 inches by 18 inches,

I don't know how big it is, but let's assume that's within and let's assume that you get permit from us to go ahead and do what you want to do, do you plan on putting that sign back out there?

MS. SALOMON: No, because I was told some people talk about it blocks their vision.

MR. SCHLESINGER: But my point is this, the sign is a hand-made sign, is it not?

MR. ARGENIO: She's not going to put it back up.

MR. SCHLESINGER: You're not going to put it back up period?

MS. SALOMON: No, I will put up another sign when I have authorization.

MR. SCHLESINGER: My point is you're going to put up a sign and I'm speculating here that maybe one of the reasons that somebody complained about the sign maybe one of the reasons because it was a little homemade and maybe that they would like it to be a little bit nicer in appearance. It's a perception thing and I think that listen, you want to be friendly with everybody who's around you and everybody who sees the sign, make it a little bit more conforming and a little bit more maybe professional, it's not a big expense.

MR. ARGENIO: So Mrs. Salomon, let me just clarify then so when you do get through the process, you'll put a sign back up and the sign that you will put back up is going to be in conformance with the size that Jennifer will tell you, she'll tell you it's 12 x 18 a nice sign, yes?

MS. SALOMON: Yes, I ordered a sign that's called a swing sign shorter since they were complaining about that sign block vision. For me I live there and I

never see it so since they probably complain about so I ordered another sign, I already received it and I'm not putting it out yet.

MR. ARGENIO: Mark, unless I'm mistaken here, what we need to do is I believe we need to schedule the mandatory public hearing for the special use permit assuming we don't have a major problems, any catastrophic traffic events occurring at the public hearing we can probably move this along that evening. Is that correct?

MR. CORDISCO: That's correct.

MR. EDSALL: I believe so.

MR. ARGENIO: Mrs. Salomon, is what I'm saying clear to you?

MS. SALOMON: Yes. One more request I would like to know if I can have the fire department or any department that is concerning when I'm putting the sign to see if it's right so nobody complains.

MR. ARGENIO: You're going to have to say that again please.

MS. SALOMON: If you grant my application and I will have to put the sign I would like to have the department that is concerned or the fire department or the health department to look at the sign.

MR. VAN LEEUWEN: The lady right there.

MS. SALOMON: To make sure there's no problem because I might put it and I think it's fine.

MR. ARGENIO: The lady will help you, the lady help you. Here's what I want to do, we need to have a public hearing for this because that's what the law

tells us we have to do, we'll schedule it, we'll have it and we'll move this forward. Accept a motion.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Please contact Nicole. You have her number, yes?

MS. SALOMON: Yes.

MR. ARGENIO: Call her up, she'll tell you what you have to do to, schedule it, we'll get it scheduled and as long as we don't have a major upheaval from the neighbors that night we'll move you right along that evening.

MS. SALOMON: Okay, yes.

MR. ARGENIO: Contact Nicole and if you want to talk to her when you call Nicole ask for Jennifer the building inspector and she'll help you with the sign as well. Okay?

MS. SALOMON: Okay.

MR. EDSALL: Mrs. Salomon, if you need any guidance on how to adjust your plan, just get ahold of Nicole, maybe you can come into a workshop, I'll help you out

on that.

MS. SALOMON: Thank you.

MR. ARGENIO: Thank you. So you'll call Nicole?

MS. SALOMON: Yes, I will.

MR. ARGENIO: Yes, very good.

POLYWORKS_(10-19)

MR. ARGENIO: Polyworks, proposed 40 x 150 addition on the north side of the building on Corporate Drive off of Route 32. Application proposes an addition on the north side of the existing building. The plan was previously reviewed at the 11 August, 2010, 29 September, 2010 planning board meetings. Sir, your name for the benefit of the stenographer and the members?

MR. LOCH: Good evening, John Loch.

MR. ARGENIO: Tell us what you've done since you've been here last.

MR. LOCH: Since we were here last, we had clarified a few issues with respect to proposed site improvements, specifically the garbage enclosure.

MR. ARGENIO: Didn't we have an issue with the incinerator, is that resolved?

MR. LOCH: That's resolved, we provided documentation regarding the permit.

MR. ARGENIO: Go ahead, so that's done.

MR. LOCH: Additionally, there was a minor issue with respect to the signage for the handicapped parking and we have addressed that and provided appropriate details because the amount of details grew a little bit. We broke the plan set into three sheets just so that the first sheet is basically existing, second is plan view, second sheet is all the details.

MR. ARGENIO: The application was referred to Orange County Planning Department and was returned local determination. You guys have any questions on this? If you remember correctly, the plans needed some

shaking up, I think somebody mentioned the dumpster enclosure and you have included that, yes?

MR. LOCH: Yes, we have. If I may, I can show you where it is in both plans, I can show you the details on it. Plan view we're proposing it right along the driveway near the corner of the property, it's a fairly large enclosure, concrete block and wood gates on it. The details of the construction are provided on the detail sheet.

MR. ARGENIO: The planning board assumed lead agency on 11 August, if anybody sees fit, I'll accept a motion we declare a negative dec on this application.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board declare a negative dec under the SEQRA process for Polyworks. Roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Mark's comment number 2, I have reviewed the latest plans submitted, the plans have been corrected as per all previous comments. Boy, you don't get that comment from Mark Edsall very often. Congratulations to you, sir. Existing special permit B-3 manufacturing assembling and converting, we don't want to have to monkey around with that. Anybody have anything else? Mark, am I missing anything here?

MR. EDSALL: No, the only subject-to would be the bond estimate for the site improvements which are very minor.

MR. VAN LEEUWEN: Motion to approve.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded we offer, the Town of New Windsor offer final approval to Polyworks site plan amendment subject to the applicant working out the bond estimate with Mark for the key site improvements. Roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

CONTINENTAL_ORGANICS_SITE_PLAN_(10-16)

MR. ARGENIO: Last on tonight's agenda and certainly not least is Mr. Finnegan, Continental Organics. The application proposes a change from an agricultural farm use to an agricultural hydroponics fish operation. I'm going to leave the term farm out of that, it shouldn't have been there. The plan was previously reviewed at the 12 May, 2010, 9 June, 2010, 15 September, 2010 and 13 October, 2010 planning board meetings.

Mr. Travis Ewald and Mr. Michael Finnegan appeared before the board for this proposal.

MR. ARGENIO: So Mr. Finnegan?

MR. FINNEGAN: Yes, sir.

MR. ARGENIO: I'm going to read from Mark's comment number 2, I'm going to read a couple of Mark's comments, do you have them there?

MR. FINNEGAN: I do.

MR. ARGENIO: One of the critical concerns the board has noted in previous reviews involves taking every action practicable to avoid a negative impact on nearby Silver Stream reservoir. The initial application included provisions of the SWPPP to exceed the state's standards and protect the reservoir. A revised SWPPP has been provided for the expanded and revised application. Our office reviewed the SWPPP and take no exception to the SWPPP. It is noted that the design continues to exceed the state requirements. As per the direction of this board, this matter has been further blah, blah, blah, I won't read the rest but I will read from a letter that I received today from Mr. Marti, I'm not going to read the whole letter, but it says subsequent to my letting meeting with the town's engineer, the project plans have been modified to

address constructability concerns expressed in my correspondence of October 13. Based on our review of the plans, it was agreed that the storm water management plan exceeds the requirements of the current New York State storm water regulations. There's some other stuff in here that I'm not going to read cause it's not incredibly relevant but the main thrust was the SWPPP business. Thank you for the opportunity to comment. We look forward to the continued opportunity to work with the Town of New Windsor on topics of mutual interest and concern. Isn't that nice, Mark?

MR. EDSALL: It worked very well. I meant that seriously, very cooperative effort.

MR. ARGENIO: Mr. Finnegan, we had a pretty detailed discussion about the plans last time, how are you?

MR. EWALD: Good.

MR. ARGENIO: Is there any significant changes from the last time you had been here?

MR. FINNEGAN: Well, it was more in the engineering area where we had to show some more detail, the plan itself has not been changed since we were here last year.

MR. ARGENIO: We talked about the grading fairly specifically. Travis walked us through some of the swales and where the water was going to go and I think he gave us a pretty detailed response on that. So you have added some more details to what was already there?

MR. FINNEGAN: On the rain garden, yes.

MR. VAN LEEUWEN: All the greenhouses are temporary?

MR. ARGENIO: Yeah, and if you go to the grading plan, Henry, you'll see, I know don't if you were here last

time but everything seems to run in the swale and finds its way to here and it's all good and as I said, Mark and Craig Marti from the City went over pretty thoroughly, we don't want to have and again, I sound like a broken record, guys, and I apologize for it, but we don't want to have a repeat of what happened with The Reserve.

MR. VAN LEEUWEN: That was quite a problem.

MR. ARGENIO: Mark says our prior comments with regard to the planned bulk table have been addressed. If you guys remember, there was a discussion over the information contained in the bulk table did not meet the code or it was unclear, Mark was unable to determine whether it met code or not. It's obviously now been corrected. An additional traffic control sign, the do not enter sign for the southerly curb cut has been added. We have no outstanding items regarding this site plan. As this, give me that, as this project has been in an agricultural district and given the new scope for the development, a new referral was made to Orange County Planning. The county returned the application with local determination with some minor comments. Mark, do you want to elaborate just a bit on the intermunicipal concerns announced by the county?

MR. EDSALL: Well, I'll go through them very quickly. They believe it's consistent with the county comprehensive plan, so that's good, they advise that the applicant was incorrect indicating that site plan approval was not required but they are here so I guess they are not arguing.

MR. ARGENIO: Thank you for throwing that in there, please Mr. Finnegan, don't respond.

MR. EDSALL: They speak about the SWPPP but they encouraged us to work out all the issues and we have really beat that horse to death. They do suggest that

the curb cuts be reduced so there will be only one curb cut rather than two but we have addressed that issue relative to safety of exiting from one by controlling traffic movements, I think the two provide better emergency access to the site.

MR. ARGENIO: There's no question about it, no question about it.

MR. EDSALL: So you have obviously the opportunity to override that but it's a, I believe it's a recommendation cause it's advisory comments, it's not requirements. And they ask that one building have a floor area square footage listed but they have added all those and they have added elevations as per the request of the planning board so nothing that would impact your ability to act tonight, I believe there's no issue with this response.

MR. ARGENIO: Neil and Howard, Danny, Mr. Van Leeuwen, anybody have any questions on this? We have certainly reviewed this and I'm very, very pleased that you Mr. Finnegan and Travis you guys were accommodating in helping us with our neighbor and the watershed because that's a concern for everybody.

MR. GALLAGHER: I have nothing.

MR. VAN LEEUWEN: I'll make a motion.

MR. ARGENIO: I think, you guys have anything? Not quite yet, we need to reaffirm our negative dec, Dom, we affirm our prior negative dec. I'll accept a motion.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded. Roll

call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Am I missing anything procedurally?

MR. CORDISCO: Next step would be to grant amended site plan approval.

MR. ARGENIO: Do you want to wrestle with Mr. Finnegan before we do that?

MR. CORDISCO: I could use some exercise.

MR. VAN LEEUWEN: Two lawyers, you never come up with the same.

MR. CORDISCO: Two attorneys, three opinions.

MR. ARGENIO: Is there any subject-tos, Mark? I don't see any.

MR. EDSALL: They'll have the usual site bond estimate.

MR. ARGENIO: I will accept a motion.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded we offer final approval subject to Mark's comments for Continental Organics revised site plan. Roll call.

ROLL CALL

MR. SCHLESINGER AYE
MR. BROWN AYE
MR. GALLAGHER AYE
MR. VAN LEEUWEN AYE
MR. ARGENIO AYE

MR. ARGENIO: That's a super majority for the record, a super majority, Mr. Finnegan, thank you for your cooperation and good luck to you, sir, in your project.

MR. FINNEGAN: Since we're all going to be living together, let me take a moment to introduce general manager Kevin Ferry (phonetic),

MR. ARGENIO: When you guys going to start?

MR. FINNEGAN: As soon as we can.

MR. ARGENIO: Next week?

MR. FINNEGAN: We'll be posting the bonds and filing for a building permit next week.

MR. ARGENIO: So you're ready go to?

MR. FINNEGAN: We're ready to go.

MR. ARGENIO: Good luck.

MR. FINNEGAN: This is Brian Rubino, he's another member of our team, you'll be seeing lots of him probably around Town Hall and wherever else the people gather. So thank you for everything you've done here and Dominic, I hope you took no offense.

DISCUSSION

MR. ARGENIO: Anything else?

MR. BROWN: Anything going on with the senior citizen over there on 94? He was supposed to go see the historical society.

MR. ARGENIO: The people in Albany. Mark?

MR. EDSALL: As per the direction of the Supervisor, I contacted Steve Esposito and told him when his submittal information is ready, I've been directed to put a cover letter on it and send it up and I've heard nothing back.

MR. ARGENIO: To Albany. Howard, we'll see where it goes. I told you how I felt that night, I still feel the same. Motion to adjourn?

MR. BROWN: So moved.

MR. SCHLESINGER: Second it.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

Respectfully Submitted By:

Frances Roth
Stenographer

